

**TRANSMITTAL OF APPEAL BRIEF**Docket No.  
NY-KIT 404-US

In re Application of: Suntory Holdings Limited

Application No.  
10/561,622-Conf. #9658Filing Date  
June 18, 2004Examiner  
S. T. NguyenGroup Art Unit  
3643

Invention: PLANT CULTIVATING BASE BODY AND METHOD OF MAUFACTURING THE SAME

**TO THE COMMISSIONER OF PATENTS:**Transmitted herewith is the Appeal Brief in this application, with respect to the Notice of Appeal  
filed: April 14, 2010The fee for filing this Appeal Brief is \$ 540.00

Large Entity



Small Entity



A petition for extension of time is also enclosed.

The fee for the extension of time is \$ 1,730.00

A check in the amount of \_\_\_\_\_ is enclosed.

Charge the amount of the fee to Deposit Account No. 50-0624

Payment by credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any additional fees that may be required or  
credit any overpayment to Deposit Account No. 50-0624  
This sheet is submitted in duplicate.Norman D. Hanson  
Attorney Reg. No. : 30,946  
FULBRIGHT & JAWORSKI L.L.P.  
666 Fifth Avenue  
New York, New York 10103  
(212) 318-3168Dated: 10/13/2010**Appeal Brief Transmittal**I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as  
Express Mail, Airbill No. EM 1557477115, on the date shown below in an envelope addressed to:  
MS Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.Dated: 10/13/10

Signature:

(Fani Malikouzakis)



Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number

<b>Effective on 12/08/2004.</b> Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		<b>Complete if Known</b>	
<b>FEE TRANSMITTAL</b> <b>For FY 2009</b>		Application Number	10/561,622-Conf. #9658
		Filing Date	June 18, 2004
		First Named Inventor	Masaki Hashimoto
		Examiner Name	S. T. Nguyen
		Art Unit	3643
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	Attorney Docket No.	NY-KIT 404-US	
TOTAL AMOUNT OF PAYMENT	(\$)	2,270.00	

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☐ Deposit Account Deposit Account Number: 50-0624 Deposit Account Name: Fulbright & Jaworski L.L.P.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	52	26
Each independent claim over 3 (including Reissues)	220	110
Multiple dependent claims	390	195

**Total Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**      **Multiple Dependent Claims**

\_\_\_\_\_ - or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

Fee (\$)      Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**

\_\_\_\_\_ - or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

**Total Sheets**      **Extra Sheets**      **Number of each additional 50 or fraction thereof**      **Fee (\$)**      **Fee Paid (\$)**

\_\_\_\_\_ - 100 = \_\_\_\_\_ /50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1254 Extension for response within fourth month      1,730.00

1402 Filing a brief in support of an appeal      540.00

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	30,946
Name (Print/Type)	Norman D. Hanson	Telephone	(212) 318-3168
		Date	Oct. 13, 2010

**Fee Transmittal**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EM165742711US, on the date shown below in an envelope addressed to:

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Dated: 10/13/10      Signature: Fani Malikouzakis (Fani Malikouzakis)